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Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.606(b).
Table of Allotments.
Television Broadcast Stations.
(Saranac Lake, New York)

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MB Docket No. 03-213
RM-10794

REPORT AND ORDER
(Proceeding Terminated)

Adopted: February 25, 2004

Released: March 3, 2004

By the Chief, Video Division:

1. At the request of Channel 61 Associates, LLC ("Channel 61"),¹ an applicant for NTSC channel 61- at Saranac Lake, New York, the Commission has before it the Notice of Proposed Rule Making, 18 FCC Rcd 20038 (2003), proposing the substitution of channel 40 for channel 61- at Saranac Lake.²

2. We believe the public interest would be served by substituting channel 40 for channel 60 since it would permit Channel 61 to operate on a channel below the 746-806 MHz band (television channels 60-69). A staff engineering analysis indicates that channel 40 can be allotted to Saranac Lake with a plus offset in compliance with the minimum distance separation requirements of Sections 73.610 and 73.698 of the Commission Rules. The coordinates for channel 40+ at Saranac Lake are North 44-09-35 and West Longitude 74-28-34. Since the community of Saranac Lake is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government has been obtained for this allotment.

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective April 19, 2004, the TV Table of Allotments, Section 73.606(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

¹ Floyd L. Cox, Donald J. McHone and WWBI-TV were competing applicants for channel 61- at Saranac Lake. The parties entered into a settlement agreement where McHone and WWBI-TV dismissed their applications and joined Cox to become one-third owners of Channel 61 Associates.

² Channel 61 filed its petition for rule making pursuant to the provisions outlined in the Commission's Public Notice ("Public Notice") released on November 22, 1999, DA 99-2605. In that *Public Notice*, the Commission announced a window filing opportunity to allow persons with certain pending requests for new analog (NTSC) television stations to modify their requests to eliminate technical conflicts with digital (DTV) stations and to move from channels 60 through 69. In accordance with the *Public Notice*, Channel 61 submitted its petition requesting a new channel below channel 60.

CityChannel No.

Saranac Lake, New York

40+

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, Channel 61 Associates, LLC shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying TV Channel 40+ in lieu of TV Channel 61-.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau